IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CRIMINAL APPLICATION No 884 of 2000

For Approval and Signature:

Hon'ble MR.JUSTICE M.R.CALLA
and
Hon'ble MR.JUSTICE R.R.TRIPATHI

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1. Whether Reporters of Local Papers may be allowed to see the judgement? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the Civil Judge? : NO

BHARATIBEN S PATEL

Versus

POLICE INSPECTOR

Appearance:

MR KN PATEL for Petitioner

MS HARSHA DEVANI, ld.APP for Respondents Nos.1 & 2

CORAM : MR.JUSTICE M.R.CALLA
and
MR.JUSTICE R.R.TRIPATHI

Date of decision: 16/10/2000

ORAL JUDGEMENT

(Per : MR.JUSTICE M.R.CALLA)

This petition in the nature of Habeas Corpus was filed by the petitioner being mother of the lady, namely, Twinkle. The concerned lady, namely, Twinkle is present before us along with Mr.Rahul Valjibhai and father of Rahul Valjibhai, namely, Valjibhai is also present. Twinkle has very candidly stated before us that she, of her own will, had gone on 12th September 2000 with Rahul Valjibhai and had married him on 12th September 2000 and since then she has been living with him along with his other family members. She has given out that she is aged about 21 years and her date of birth is 22nd July 1980 and she is an Arts Graduate of 1999. Rahul Valjibhai is aged about 25 years and is doing the business of Music Cassettes at Memnagar, Ahmedabad and he is also a Commerce Graduate and son of Dy. Secretary, Govt. of Gujarat. Twinkle has also stated before us that she has got the highest regards for her parents, but she was not interested in marriage with a boy with whom her parents had engaged her. She was in love with Rahul Valjibhai and married him of her own volition.

Twinkle is a major lady who is an Arts Graduate and is capable of taking her own decision and she is free to her liberty and has expressed her clear willingness to go with her husband Rahul Valjibhai.

In the facts and circumstances of this case, we do not find it to be a fit case for issue of a writ of Habeas Corpus and Twinkle is free to to her liberty. This petition for Habeas Corpus is hereby disposed of accordingly. Rule is hereby discharged.

16th Oct.2000 (M.R. Calla, J.)

(R.R.Tripathi, J.)

Sreeram.